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CHAPTER 34

34. Wives and Husbands

Thomas Knieps-Port le Roi

Summary

The chapter provides an overview of recent developments in the theology and ethics of marriage. It places the debates first in a socio-cultural context of deinstitutionalization and individualization which have rendered marriage more optional and more fragile, but not weakened its symbolic meaning. It is then shown how the Christian churches have responded to the challenges of late-modern society. In particular, the Roman Catholic Church's new emphasis on conjugal love is highlighted and different strands in the subsequent scholarly debate are discussed. In a last part three major perspectives are developed: first, possible arguments for commending marriage over against alternative forms of living together are assessed; second, it is explored whether heterosexual marriage can still be proclaimed as ethical norm without discriminating against deviant forms of sexual expression; third, the search for a balance between institutional and (inter)personal aspects is suggested as a future challenge for a theology of marriage.

Part I. Context

Deinstitutionalization

Legally regulated, ritually solemnized and publicly recognized, the marital union of wives and husbands was for the longest time and for the majority of people in western civilization the norm and only socially accepted way to have a sexual relationship and raise children. Along with this dominant position, marriage also offered a set of fixed social rules that governed the individual's behaviour within it. Although subject to long-term social, economic and cultural transformations, the marital institution seemed resilient enough to cope with changing contexts and to adjust the social norms it offered to couples accordingly.

In the 1960s and 1970s, however, an accelerated process of disintegration set in, resulting in a scenario without precedence in previous history: increasing divorce rates, a delayed entry into marriage, a rise of cohabitation as a prelude or alternative to marriage, an increase of children being born outside of marriage, and a general decline of people projected to ever marry. While some observers speculated that '[f]or perhaps the first time in human history, marriage as an ideal is under a sustained and surprisingly successful attack' (Waite & Gallagher 2000: 1), others bluntly diagnosed and complained of its 'decline' (Popenoe et al.

1996). What could be said with more certainty was that marriage was undergoing a process of 'deinstitutionalization'. By this, social theorists mean that the social norms that define people's behaviour in an institution such as marriage are not just shifting but, more fundamentally, weakening, even to the point of decomposing. US family sociologist Andrew Cherlin explains:

> In times of social stability, the taken-for-granted nature of norms allows people to go about their lives without having to question their actions or the actions of others. But when social change produces situations outside the reach of established norms, individuals can no longer rely on shared understandings of how to act. Rather, they must negotiate new ways of acting, a process that is a potential source of conflict and opportunity (2004: 848).

Cherlin describes what has happened to marriage in the 20th century as the result of two major transformations. The first one is the transition from 'institutional marriage' to 'companionate marriage'. In the single-earner, breadwinner-homemaker family of the first half of the century, husbands and wives still followed a strict script of social roles regulated by a clear division of labour along gender lines. What bound them together, however, was no longer social obligation alone but a shared feeling of companionship that developed on the inside of the marital relationship. Spouses were supposed to be each other's friends, companions, and lovers and thus bring to their union a sense of self-expression and emotional satisfaction that was unimagined by couples in the institutional marriages of the previous era.

This companionate model proved extremely attractive and successful, reaching its zenith in the 1950s with a sharp increase in marriage and childbearing. For the last time, marriage offered a majority of people the default entry into adult and family life. But the recipe for its short success turned out to be its major shortcoming in the long run. The fact that spouses drew their personal gratification and emotional satisfaction from the fulfilment of predetermined marital roles, became increasingly unacceptable for following generations. The second transition took issue with such remaining institutional features and marked the ascendance of a new model. From the 1960s and 1970s on,

> [w]hen people evaluated how satisfied they were with their marriages, they began to think more in terms of the development of their own sense of self and the expression of their feelings, as opposed to the satisfaction they gained through building a family and playing the roles of spouse and parent. The result was a transition from the companionate marriage to what we might call the *individualized marriage* (852).

According to Cherlin, this second transition was mainly due to the rise of an 'expressive individualism' in American culture. But also on the other side of the Atlantic the growing individualization of personal life conjured up a 'new sentimental order' (Bawin-Legros 2003) which has put institutional marriage under considerable strain.

New Sentimental Order

The idea of marrying for love originated in the late 18th century and was widely taken for granted by the end of the 20th century. The same values, however, that increased people's satisfaction with marriage as a relationship started to undermine the stability of marriage as an institution. As historian Stephanie Coontz points out, '[m]arriage has become more joyful, more loving, and more satisfying for many couples than ever before in history. At the same time it has become optional and more brittle. These two strands of change cannot be disentangled' (2005: 306).

Social theorists of late modernity have analysed how the quest for satisfying intimate relationships collides with the expanding role of personal choice and puts the marital project of an enduring relationship at risk. Anthony Giddens (1992) observes that the romantic love model, which acclaimed relationship permanence ('till death do us part'), has been replaced by what he calls 'confluent love'. What counts in confluent love is the 'special relationship' that is continuously searched for rather than the quality of a 'special person'. The confluent love model features the ideal of the 'pure relationship', one that 'is entered into for its own sake, for what can be derived by each person from a sustained association with another; and which is continued only in so far as it is thought by both parties to deliver enough satisfactions for each individual to stay within it' (58). Partners in a pure relationship establish trust through intimacy, mutual respect and intense communication, but driven by a pattern of reflexive autonomy and self-actualization they also allow for the permanent possibility of breakup.

Such internal ambivalences of an era 'which has fallen in love with love' are also explored by Ulrich Beck and Elisabeth Beck-Gernsheim (1995). One of the paradoxes they see is that '[i]ndividualization may drive men and women apart, but. . .it also pushes them back into one another's arms. *As traditions become diluted, the attractions of a close relationship grow*. Everything that one has lost, is sought in the other' (32, author's emphasis). As a consequence, love becomes a substitute for religion, a secular religion and private sanctuary which 'we are hardly aware of because we ourselves are its temples and our

wishes are our prayers' (177). '[H]idden behind the hope that we can compensate for our mistakes and shortcomings by lavishing love on the beloved is the belief that love is an act of confession and often a gesture against a heartless society' (179f.). That supreme belief in love remains intact even in the face of the collateral damage it may cause. Worshipping love does not only produce disproportionate expectations vis-à-vis one's partner or spouse, it also allows or forces one to break with partner or family in order not to betray one's personal search for true love. In that sense,

> [a]bandoning one's own children for someone else is not a breach of love but a proof of it. This illustrates the extraordinary power love already exerts over us as well as the contradictions of trying to live up to this ideal while coping with the mundane routine of daily life (174).

For Zygmunt Bauman (2003) intimate relationships in today's consumerist society even have something absurd about them as the measure of their success is indeed the possibility of their failure. '[H]uman attention tends nowadays to be focused on the satisfaction that relationships are hoped to bring precisely because somehow they have not been found fully and truly satisfactory; and if they do satisfy, the price of the satisfaction they bring has often been found to be excessive and unacceptable' (xi). They constantly 'vacillate between a sweet dream and a nightmare, and there is no telling when one turns into the other' (viii).

Symbolic Meaning

If contemporary men and women are 'so desperate to "relate"; and yet wary of the state of "being related" and particularly of being related "for good", not to mention forever' (Bauman 2003: viii), marriage has understandably lost its stability – but, as Beck & Beck-Gernsheim already predicted in 1995, 'none of its attractiveness' (172). The interesting question may therefore no longer be 'why so few people are marrying, but rather, why so *many* people are marrying, or planning to marry, or hoping to marry, when cohabitation and single parenthood are widely acceptable options' (Cherlin 2004: 854). As Cherlin shows for the United States context, there can be no doubt that marriage is no longer as dominant as it once was, and it is most unlikely that it will regain its former position. Still, it has a chance to retain a distinctive value amidst alternative forms of partnership and family life, as people may continue to value its 'symbolic meaning':

> What has happened is that although the practical importance of being married has declined, its symbolic importance has remained high, and may even have increased. . . It

> has evolved from a marker of conformity to a marker of prestige. Marriage is a status one builds up to, often by living with a partner beforehand, by attaining steady employment or starting a career, by putting away some savings, and even by having children. Marriage's place in the life course used to come before those investments were made, but now it often comes afterward. It used to be the foundation of adult personal life; now it is sometimes the capstone. It is something to be achieved through one's own efforts rather than something to which one routinely accedes (855).

Whatever the future of marriage will be in western societies, Cherlin's informed guess provides a valuable perspective for researchers who have come to realize that in times of deinstitutionalization close relationships still undergo 'processes of institutionalization', however individualized such trajectories may be and whether or not they are conducive to marriage (Kopp et. al. 2010).

Part II. Church Teaching and Theology

Denominational Perspectives

The Christian churches in the West have been affected by the deinstitutionalizing and individualizing trends of (late) modernity in equal measure (Thatcher 1999). Variances in their respective theological visions and legal practices of marriage though have made them face these developments in different ways. John Witte has shown that all western denominational traditions 'have recognized multiple perspectives on marriage but gave priority to one perspective in order to achieve an integrated understanding' (1997: 2). Witte refers to four perspectives in particular. The first one is a *naturalistic* perspective which regards marriage as an institution given in creation (Gen. 1:1; 27-28; 2:24), ordered toward procreation, and subject to natural laws. Permanently 'hovering in the background', the naturalistic argument adumbrated for the first time in Augustine is perfected by Thomas Aquinas in the 13th century, remains largely uncontested in the theology of the Reformation, and holds, up to the Second Vatican Council, a central position in Roman Catholic teaching. A second, *social* perspective deals with marriage as 'a social estate, subject to the expectations and exactions of the local community and to special state laws of contract, property, and inheritance' (Witte 1997: 2). This perspective is strongly emphasized by the Protestant tradition. With their rejection of the sacramental character of marriage and its subordination to celibacy, Martin Luther and his colleagues taught that although divinely

ordained, marriage was a 'worldly undertaking', part of the earthly kingdom of creation, and therefore subject not to the church but to the civil authorities.

Still from another perspective, marriage is dealt with as a voluntary association formed by the mutual agreement of the spouses. The Latin church took this *contractual* understanding over from ancient Roman law and from the 12th century forward built upon it the canonical marriage law which remained predominant in the West. With the period of Enlightenment the contractarian model of marriage experienced a new heyday, this time however dissociated from any rules preset by God, nature, or church. The terms of the marital bargain were left to the contracting parties themselves: 'Couples should now be able to make their own marital beds, and lie in them or leave them as they saw fit' (Witte 1997: 10). Much of today's secular understanding of marriage has become grounded on such a private contractual model and the attendant idea of consensual intimate relationships.

A fourth perspective is the *religious* one, which according to Witte is characteristic of the Roman Catholic understanding of marriage 'as a spiritual or sacramental association, subject to the creed, cult, and canons of the church community' (2). '[R]aised by Christ the Lord to the dignity of a sacrament between the baptized' (*Code of Canon Law*, 1983: can. 1055 §1), marriage, when validly contracted and consummated, symbolizes the union between Christ and His Church (Eph. 5:21-33) and confers sanctifying grace to the couple. This sacramental perspective renders marriage a central concern of the church's doctrine, morality, and discipline and thus accounts for the fact that over the past decades the Roman Catholic Church, more than the Protestant Churches, has made considerable efforts to defend and refine its teaching and practice in the face of a prevailing secular mentality and its decomposing effects on the marital institution as such.

Intimate Partnership of Married Life and Love

The Second Vatican Council (1962-1965) marks a major shift in the Roman Catholic teaching on marriage. In its Pastoral Constitution on the Church in the Modern World, *Gaudium et spes*, the council speaks of the marital union in terms unheard of in previous church teaching:

> The biblical Word of God several times urges the betrothed and the married to nourish and develop their wedlock by pure conjugal love and undivided affection. . . This love is an eminently human one since it is directed from one person to another through an affection of the will; it involves the good of the whole person, and therefore can enrich the

> expressions of body and mind with a unique dignity, ennobling these expressions as special ingredients and signs of the friendship distinctive of marriage. This love God has judged worthy of special gifts, healing, perfecting and exalting gifts of grace and of charity. Such love, merging the human with the divine, leads the spouses to a free and mutual gift of themselves, a gift providing itself by gentle affection and by deed, [*sic*] such love pervades the whole of their lives (1965: para. 49).

The idea of conjugal love had been absent from previous teaching. Resuming a longstanding tradition of canonical legislation and theological argument, the 1917 Code of Canon Law had defined marriage as a 'contract' by which spouses exchange the right over one another's bodies in view of acts 'apt for procreation' (*The 1917 Code*, 2001: can. 1012 §1; 1013 §1; 1081 §2). Marriage was seen here as an impersonal estate, instituted by divine creation and endowed by nature with specific ends, which the spouses enter into by mutual consent. Friendship and love or, as scholastic theologians had rendered it at the time, 'mutual help' (*mutuum adiutorium*) between wife and husband were regarded as a welcome side effect, of the order of a 'secondary end', but in no way essential to the marital union and its intrinsic obligations.

At Vatican II the council fathers break with this tradition and seek to 'describe marriage as it is lived, and urge how it ought to be lived, by men and women in the second half of the twentieth century' (Mackin 1982: 267). They insist that marriage has its greatest value not in some goal outside itself such as the continuation of the human race. Its primary meaning and value is in the sharing of the whole of life, in what they call the 'intimate partnership of married life and love' (Second Vatican Council, 1965: para. 48). As such, it may have 'various benefits and purposes' – the conciliar text mentions the traditional good of offspring (*bonum prolis*) and the good of society, and juxtaposes to them the 'good of the spouses' (*bonum coniugum*) – but all of them originally spring from the communion of conjugal love and are in no way hierarchically subordinated to each other.

The Council thus initiates a shift in the Catholic reflection on marriage from an institutional and legal, to a person-centred and relational, approach. Post-conciliar theology generally acclaims this move but differs in how it has to be interpreted.

Truly Human Love, Nuptial Imagery, and Alternative Practices

A 'revisionist' majority of theologians and ethicists welcomes as the most important development in the theology of marriage that 'the council declared the mutual love of the

spouses and their passionate desire to be best friends for life to be of the very essence of marriage' (Lawler 2002: 36). They maintain that the previous model of marriage as a *procreative institution* has been replaced by the model of *interpersonal union* in which 'the emphasis is no longer exclusively on procreation but squarely on the marital union of the spouses' (ix). This is underscored by a significant shift in wording since the council departed from calling marriage a legal contract and chose instead to describe it as 'covenant', a biblical term which is 'saturated with overtones of mutual personal and steadfast love' (36). If lived as Christian marriage, such loving interpersonal union is 'a grace-full way to God, an opportunity to raise in the contemporary world a model, a light, a veritable sacrament, of the steadfastly loving union between God and God's people and between Christ and Christ's Church' (39). This position puts the reality of the relationship far before any institutional framework for marriage.

In their sexual ethics approach, these scholars develop the 'criterion of the human person adequately considered' into a foundational principle from which human sexuality and marriage have to be judged (Salzman & Lawler 2008: 124). According to Kevin T. Kelly, '[e]ven such a fundamental human institution as marriage does not have any free-standing independent moral criterion of its own. It can only be properly understood and evaluated with reference to that one all-embracing criterion of the good of the human person, integrally and adequately considered' (Kelly 1998: 140). An adequate and integral understanding, however, has to consider the human person primarily in and according to changing historical and socio-cultural contexts. If then for example women are experiencing marriage as oppressive, a theological critique of that form of marriage is imperative. These authors do not question the goodness and value of marriage but they claim that the starting point for a reflection on marital and sexual morality must not be marriage, but rather the quality of the relationship lived in it, which ought to be of a truly human and justly loving kind.

A 'traditionalist' position, which draws its inspiration mainly from the writing and teaching of the late Pope John Paul II, insists instead that the human person has to be seen as part of a timeless natural order and that marriage occupies a central place in a design in which all humans are called to participate. When John Paul II refers to 'God's original plan of marriage and the family' (1981), he does not primarily have in mind some outward prescriptions of how marriage ought to be lived but a divine script that is impressed on the human person's body. In his 'theology of the body' the human body bears the mark of the self-giving love which is at the origin of the mystery of creation and which humans recognize

in their being created as male and female and have to live in accord with in their sexuality. The '*spousal meaning of the body*' consists in that

> [t]he body, which expresses femininity 'for' masculinity and, vice versa, masculinity 'for' femininity, manifests the reciprocity and the communion of persons. It expresses it through gift as the fundamental characteristic of personal existence. . . Masculinity-femininity – namely, sex – is the original sign of a creative donation and at the same time 'the sign of a gift' that man, male-female, becomes aware of as a gift lived so to speak in an original way (John Paul II 2006: 183).

This spousal meaning translates into a specific 'language of the body', the grammar of which humans ought not to distort in their sexual behaviour. Essentially, it includes – next to the claim that intimate relations can legitimately be maintained only between heterosexual partners – that sexual intercourse can only take place within an exclusive, faithful and life-long marital relationship because the 'total physical self-giving would be a lie if it were not the sign and fruit of a total personal self-giving, in which the whole person, including the temporal dimension, is present' (1981: para. 11); and that each marital act must be open to procreation and may not be 'overlaid, through contraception, by an objectively contradictory language, namely, that of not giving oneself totally to the other' (para. 32). Marriage comes into the frame here not just as a moral requirement or institutional safeguard for sexual relationships but rather as a theologico-anthropological key concept from which sexual difference, love, and fertility have to be understood in their interconnectedness. Proponents of that vision have even further developed the idea that the concrete experience of the spousal relationship between husband and wife is the constitutive core of the '*nuptial mystery*' which is 'the key for understanding. . . the salient aspects, the dogma, of our faith' as it lies at the basis of the mysteries of the relationship between Christ and the church, of the event of Christ, and finally of the Trinity itself (Scola 2005: 97f.).

More recently, a new generation of scholars has taken issue with the two strands prevalent in post-conciliar discussion about marriage. Classifying them both as variants of the standard Catholic personalist framework, they accuse the latter of an abstract and idealistic description of the spousal relationship and criticize the former for its narrow focus on private interiority. What they claim instead is an approach that pays attention to the experiences and practices of today's couples and is thus more sensitive to the complexities of contemporary contexts; places marriage within larger accounts of the Christian life as a whole; and brings

the counter-cultural potential of the Christian tradition to bear on destructive practices in the current culture (Cloutier 2010).

Florence C. Bourg, for instance, finds much of the theological parlance about conjugal love modelling the reciprocal love between Christ and the church highly unrealistic. It 'sounds more like the perfect communion within the triune Godhead' while the usual love relationship 'is decidedly less reciprocal' and mirrors the 'earthly, painful, dying-and-rising, hopeful love celebrated at Easter' (Bourg 2004: 79f.). But her advocacy for 'ordinary and imperfect' (spousal and family) relationships also includes a critique of the prevailing romantic model of marriage and family life. In a cultural context 'where privacy and choice are celebrated almost as ends in themselves', the romantic model 'can be interpreted to permit opting out of obligations toward persons with unforeseen special needs, or who change in ways that we do not choose – especially in ways that affect their ability to provide us affirmation and emotional companionship'. Only here is the theological imagery of God's covenantal love in its place, since 'covenant love doesn't disappear simply because one party "isn't having fun anymore"' (91).

In a similar vein, Julie H. Rubio insists that the Catholic vision of marriage is in sharp contrast to the popular model of lifelong romance and of the marital dyad. Marriage is not simply or even primarily a personal relationship. 'Speaking of marriage as a relationship says too little about the kind of marriages to which Christians are called' (Rubio 2003: 83). Instead, marriage

> crystallizes the love of the larger church community. The couple is not just two-in-one, but two together within the whole, with specific responsibilities for the whole. They must be strong, because the community needs their strength. They must persevere in love, because the community needs to see God's love actualized among God's people, and this is precisely what people see when they know an outward-focused loving couple (38).

David Matzko McCarthy blames modern theologians' interpersonal account of conjugal love for its 'theological romanticism about marriage' (2004: 64). Dyadic love and the commitment to pure relationship, however, fall prey to the market ethos of modern life, as they 'are defined by their ability to regenerate desire, so that the enemy of love is considered to be the practical matters of life that bring a domestication or settling of desire' (244). The grammar of romantic love conflicts with the 'grammar of belonging' and that is why '[g]reat lovers do not necessarily make for good housekeeping' and '[l]ove and passion die once

partners settle in at home' (64). McCarthy challenges the standard theological view that the conjugal union establishes and sustains the household. '[M]arriage does not set a couple apart in order to begin a family, but puts a husband and wife in the middle of a larger network of preferential loves' (246). By placing marriage within this larger context of family, friends, and neighbourhood, McCarthy returns to an essentially pre-modern understanding in which kin and social relationships are the foundation of marriage and not the other way around. Almost half a century after Vatican II marriage is proposed here as an institutional practice – of received roles and duties, of lifelong fidelity and generativity – that defies mainstream cultural trends and much of modern theological thinking.

Part III. Perspectives

Why Marry at All?

Is there any substantial reason to commend marriage over against the other forms of living together that have widely been accepted as alternatives in late-modern society? Previous generations of theologians could afford to speculate in rather abstract terms about the goods and benefits of marriage since there was little need to persuade people of its advantages. When Augustine set off to counter the Manicheans' condemnation of procreation he found in marriage a welcome excuse and a way to minimize the risk of succumbing to the almost inevitable sinfulness of sexual intercourse. Over time, the church pushed aside the idea of the 'relative' goodness of marriage that undergirded Augustine's conception, coming to regard the threefold goods of offspring, fidelity, and indissolubility as simple blessings. Thomas Aquinas did not have to be convinced that marriage is a natural institution and therefore good in itself. Elaborating on the Augustinian *bona*, he laid the groundwork for the idea of the ends or purposes (*fines*) of marriage, thus showing how well and intelligently nature and its heavenly creator had provided for a union in which man and woman assist each other and make use of their sexuality for the overarching purpose of perpetuating the human race through procreation.

Today some still believe that marriage with 'its orientation to the bearing and rearing of children' and 'its distinctive structure, including norms of monogamy and fidelity' (Girgis et. al. 2010: 246) does not need any positive endorsement, since it is the natural and thus only legitimate framework for human pair bonds which 'make little sense, and uniquely answer to no human need, apart from reproductive-type union' (287). Whether grounded on 'common human reason' (247) or additionally undergirded by theological arguments (Grisez 1993: 633-

680), this normative discourse is more intended to convince same-sex couples why they are not entitled to marry than to persuade heterosexual partners why they ought to. The latter, however, is what social scientists have in mind when they conclude, on the basis of empirical evidence, that '[m]arriage is an important social good, associated with an impressively broad array of positive outcomes for children and adults alike' (*Why Marriage Matters* 2002: 6).

Theologians like Don Browning have quickly realized that, notwithstanding its overall plausibility, this discourse is tributary both to an utilitarian perspective, and to the use of therapeutic language, making it prone to the late-modern individualistic search for personal gratification that it needs to combat. They have therefore urged that for a successful promotion of marriage, a moral and religious underpinning is also needed (Browning 2003). Browning is certainly right to claim that Christianity (along with other religious traditions) 'must retrieve their marriage and family traditions' and 'must do so critically' (Browning et al. 1997: 307), but one may wonder whether his own vision of marriage relies more on what sociologists and politicians suppose to be good and egalitarian spousal relationships, than on what the Christian tradition really has to offer.

Many contemporary theologians are in any case more reluctant when it comes to promoting marriage. Margaret A. Farley acknowledges that '[f]or the sake of love and the ones we love, we commit ourselves to institutional frameworks that will hold us faithful to our love', but such frameworks, of which marriage is the most common one, 'ought to be subject to norms of justice. If they are not, we challenge them or forsake them, or we shrivel up within them' (2006: 260). Jana M. Bennett even thinks that 'there is a cultural frenzy regarding marriage' and that many theologians' 'focus on marriage is misplaced and problematic' (2008: 3 and 4). While developing a theology of God's household which is both reflected and realized in a variety of local households, she agrees with Bourg that baptism is the 'root of every Christian's vocation to holiness' (Bourg 2004: 78). She allows thus for a more inclusive approach to a broad variety of types of Christian community than the narrow focus on paradigmatic models of discipleship such as virginity in the past or the spousal union in present theology.

Marriage as Norm?

Joseph Monti has shown a viable path between a normative discourse which imposes marriage as an obligatory requirement for any and all kinds of sexual relations and a moral rhetoric which too easily puts alternative forms of sexual expression on equal footing with it.

At the basis of his argument is the distinction between 'ethical norms' and 'moral rules'. Norms disclose values and provide orientation for moral action but 'are never categorically regulative', i.e. they do not prescribe what has to be done in specific situations and particular circumstances (Monti 1995: 116). Rules on the other hand 'regulate particular circumstances and situations so that the values disclosed by ethical norms might be accomplished as goods' (119). If ethical norms and moral rules are confused and the distance between them collapses, moral instruction becomes dysfunctional in that '[n]orms fail to disclose and orient our lives around values' and '[r]ules fail to regulate the particular circumstances and behavior of our lives toward the promotion of the good as achievements of these values' (117). This is what has happened to the Christian discourse on sexual and marital morality:

> In upholding the norm of heterosexual marriage as a rule of behaviour in any and all situations and circumstances, many denominations are making the same analytic mistake of confusing ethical norms and moral rules. A similar confusion exists when it is argued that the particular needs and interests of individuals are enough for the creation of new or parallel norms in Christian sexual morality. And when all such teaching fails to persuade a significant number of Christians, the problem, no matter how sensitively portrayed, is interpreted either as a defect in character – a modernist turning away from the traditional values of love and commitment – or the authoritarian dictates of an archaic and anachronistic Church. Being unpersuaded by either side of the debate, many are left without theological and moral guidance at all, and the Church's teaching voice gives way to the even greater confusions of popular cultures (121).

Monti abides by the 'singularity' and 'universality' of the marital norm 'as an identifying character mark of the Church' (209). As 'ethical norms manifest and model the ideal character-identity of a culture and community – what the community claims to be and wants to become, and how its members are obliged' (197), marriage became normative in the Christian community because it came to disclose a specific set of values that identified the Christian ideal in the field of sexual experience. And just like all ethical norms, the marital norm can only be appropriated and kept alive by 'critical and hermeneutical acts of remembrance'. On the one hand, it cannot be invented in private nor created from scratch but needs communal acts of historical retrieval. On the other hand, the Christian community cannot refer to any mythic couple or archetypical marriage that would provide moral guidance by simply being re-enacted in the present. 'Values and norms emerge from prior assumptions and interpretations of meaning and truth contained in the conversations and narrations of

history, but to remain vital, must always be submitted again to verification and legitimation in every generation of the life of a tradition and community' (199).

It is in such a critical-hermeneutical conversation and action that the dynamic interaction between norms and rules comes into play. According to Monti, heterosexual marriage must remain the *single* orienting norm for sexual activity in the Christian community because a divergence of norms and values connected to it (e.g. for married and unmarried, for heterosexuals and homosexuals etc.) would be a source of division and fracture. The specific rules for life, however, must be *plural* in view of the heterogeneity and diversity of situations and circumstances that they are supposed to regulate. That is why 'responsible nonmarital heterosexual and homosexual sexual expression – expression guided by the requisite Christian values – are never threats to marriage or to the Church itself; whereas pervasive irresponsible sexual expression of any kind among Christians can be a diagnosis of the failure of the Church's norm to be working effectively' (211).

Likewise, claiming some 'universal' character of the marital norm does not imply that marriage is 'ahistorically normative' (208). Its rise to a normative status has neither been continuous within the Christian tradition itself nor is it certain that no matter what happens to the material history of heterosexuality and marriage it will remain the central focus of its remembrance. Moreover, the marital norm may not even be 'applicable to all members of a tradition-informed community' (199). Not only are those who are not married not 'abnormal' in any social-psychological or even moral sense; also the married 'are themselves always "off the norm"' because 'no single couple or the entire range of married couples embody the norm itself'. 'Particular marriages bring only a familiarity of necessary values and goods to the life of the Church rather than a literal and identifying embodiment' (239). While husbands and wives have thus a profound social and ecclesiastical obligation and responsibility to actively uphold and support the marital norm, they give the community only 'a glimpse of the ideal values necessary for the guidance of responsible sexual life' (239).

Monti offers a balanced and compelling account of how Christian communities could hold fast to and commend marriage while acknowledging and supporting 'analogous marital practices' in deviant forms of sexual expression. Love, fidelity, and creativity should thereby be the central patterns of a responsible sexual life modelled by the norm of marriage (cf. 229-239). To propose the marital norm as a 'universal claim' in a context in which the Christian tradition has come to realize its particularity implies what Philippe Bordeyne has called 'moral labour' (*travail moral*) (2010: 230). The witness which Christian faith bears to this

universal moral claim can only 'be grounded in marital practices (*pratiques conjugales*) the singularness of which becomes more and more obvious' (229). Paradoxically, marriage may reveal its value precisely when no longer the 'rule' but the exception in today's context.

Marriage as Personal Achievement or Institutional Practice?

According to David McCarthy 'the *institution* of marriage is the dividing line on how newer generations are going to think about and choose marriage' (McCarthy 2008: 61; emphasis added). In times of deinstitutionalization and expressive individualism the popular vision is that a relationship starts with romantic love and emotional intimacy, includes togetherness and cohabitation at some point, and then may, or may not, find its achievement, or 'capstone' in Cherlin's phrasing, in marriage. In this perspective, marriage is just an 'elevated form of living together', a 'value-added cohabitation' (McCarthy 2010: 136). Yet, McCarthy doubts whether this sequence still holds true.

> Some people (by their late twenties) are tired of having 'relationships' and are looking to be married. The process might be: identify those with characteristics of a future husband or wife and subsequently hope to develop a relationship. Whether a couple begins with the 'relationship' or the virtues of a good spouse, the institutional features of marriage make the relationship distinctive. It is not a value-added friendship. It is a marriage, not reducible to a general idea of an 'intimate relationship' that endures (136).

The tension between 'positional-institutional and personal-elaborative claims and codes' (McCarthy 2008: 67) is a major challenge for any contemporary theology of marriage. Roman Catholic teaching and theology again provide a good illustration here. Being a point of disagreement between some theologians and the magisterium in the first half of the 20th century, the issue surfaced again in the discussions during the Second Vatican Council, was 'settled' by way of compromise in the council's document on marriage, but became acute again in post-conciliar theology. As mentioned above, the council text connected with the 20th century experiential reality of marriage, describing it as an interpersonal loving relationship, but grafted the new parlance upon the older, institutional framework, which remained largely intact underneath. At one place the two perspectives are even neatly juxtaposed when the document refers to the procreative function of marriage, a major pillar of the institutional approach: 'By their very nature, the institution of matrimony itself and conjugal love are ordained for the procreation and education of children' (Second Vatican Council, 1965: para. 48). The conservative opponents of the new perspective at the council had cautioned that

including love in the definition of marriage would provide ammunition for the advocates of divorce. In the aftermath of the council, Pope Paul VI obviously had a similar concern and clarified in an allocution to the Tribunal of the Roman Rota in 1976 how the council text was (not) to be understood:

> Hence we firmly deny that with the failure of some subjective element such as marital love the marriage itself no longer exists as a 'juridical reality'. For this reality has its origin in a consent once for all juridically efficacious. So far as the law is concerned this 'reality' continues to exist, since it in no way depends on love for its existence. For when they give their free consent the spouses do nothing other than to enter and be fixed in an objective order or institution, which is something greater than themselves and in no way depends on them for either its nature or the laws proper to it. Marriage did not take its origin in the free will of men, but was instituted by God, who willed it to be reinforced and enlightened by his laws (quoted in Mackin 1982: 321).

As divorce and remarriage became a highly debated issue in post-conciliar Catholic theology, theologians of the 'revisionist' strand came to disagree with the institutional claim contained in the pope's understanding of 'indissoluble' marriage, which remains unchanged in the official teaching even today (Congregation for the Doctrine of the Faith 1998). In their understanding, marriage is in essence an interpersonal loving relationship, which develops from initial friendship and love into lifelong commitment as its inherent, yet optional, culmination. If it does, one can only wish and hope that love remains and the relationship endures because – and here they depart from the pope's rectification – there is no exterior instance that could make any claim on its endurance.

Moreover, on the basis of the very same personalist approach that praises the potential of loving commitment on the one side, its proponents are quick to admit love's fragility on the other. According to Margaret Farley, a simple 'appeal to our understanding of the concrete reality of human persons and a theology of human possibilities and limitations' reveals that '[l]ove is notoriously fickle, waxing and waning in ways we cannot always control' (2008: 299). If it does disappear then, there is not much that can hold marriage as a relationship: 'Not presently a strong and unquestioned institution, not the love itself, not the sanctioned "laws" of marriage, not even the children born in marriage' (299). As realistic as this position may appear with regard to the working and ending of present-day relationships, its critics perceive too much optimism, and ultimately also a fatalistic undertone, in the underlying theological rationale which basically 'implies that the relationship is always good; it must be in order to

carry the marriage' (McCarthy 2010: 141). But what would an alternative vision then look like, one that sees marriage as an institutional practice in its distinctiveness from intimate relations?

McCarthy suggests reversing the revisionist assumption that the relationship is the beginning and foundation and marriage an additional 'superstructure'. To start with marriage then means to start with public vows that 'are not defined by the married couple' and with spousal roles that are configured to 'lifelong fidelity and generativity' (2010: 138-9). Such an 'institutional and communal foundation of marriage – the vows, the expectations, and social relationships structured on the basis of family, the social tasks of sustaining productive households, and the common calling of raising children – give marriage purposes that an interpersonal relationship cannot sustain' (139). In this way, a free space could be opened for couples 'to develop relationships that work through a lifetime and. . .to have relationships that are not satisfying'. Spouses would be 'freed from the straight-jacket of total satisfaction and romantic ideas about sharing the "total self"' and 'from the myth of the soul mate'. Marriage would be the 'beginning of something entirely new' (138) – not the crowning of a love that has survived against all odds, but the initiation into an ascetic practice that will teach couples to love along the way.

McCarthy lays bare the obvious shortcomings of any theological approach that focuses solely on the interpersonal and subjective elements of the marital union while neglecting its need for external, objective or institutional structure. His own alternative model, however, falls into the other extreme and remains insensitive to the way most couples today experience and live their intimate relationships. His suggestion to give priority to marital 'roles and duties' comes close to a pre-conciliar and in fact pre-modern understanding of institutional marriage, and one wonders how it could be transferred into effective pastoral care. The merit of his approach lies much more in that he has called attention to the polarity of personal versus institutional viewpoints that tend to exclude each other but in fact need to be kept in balance. Just as pre-modern theologies of marriage had difficulties including subjective and interpersonal elements, late-modern theologies tend to abandon too easily institutional supports that the marital union urgently needs to face the current threats to its stability.

It seems that contemporary theologies of marriage have not sufficiently explored the capacity of committed love to transcend the realm of (inter)subjectivity by 'de-privatizing' and 'externalizing' the subjective will in such a way that it appeals to the partners from a quasi-objective position (Lehmann 1972: 62). Phenomenological studies on the concept of

'conjugality' with its attendant characteristics of intimacy, faithfulness, permanence, and openness to children (Jonckhere 2000), and on the 'natural indissolubility' of committed relationships (Lacroix 2001) offer similar perspectives, which deserve further inquiry. Recent research on the role of the wedding ritual (Fopp 2007; Merzyn 2010) and on marital spirituality (Knieps-Port le Roi & Sandor 2008) indicate that on a practical level couples have a desire to disclose the marital union as a locus of a transcendence or divine grace in which they may put their hope for a fulfilling relationship beyond what they are able to realize by their own human competences and capabilities.

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